

EXHIBIT F

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

THOMAS ROGER WHITE, JR., and
PATRICIA CAULEY, on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

SAMSUNG ELECTRONICS AMERICA, INC.,

Defendant.

Civil Action No. 17-01775 (MCA) (JSA)

Hon. Madeline Cox Arleo, U.S.D.J.

Hon. Jessica S. Allen, U.S.M.J.

**PLAINTIFF THOMAS ROGER
WHITE, JR.'S RESPONSES AND
OBJECTIONS TO SAMSUNG
ELECTRONICS AMERICA, INC.'S
FIRST SET OF INTERROGATORIES**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and Civil Local Rule 33.1, Plaintiff Thomas Roger White, Jr., through undersigned counsel, objects and responds to the First Set of Interrogatories (“Interrogatories”) served by Defendant Samsung Electronics America, Inc. (“Samsung” or “Defendant”) on May 22, 2023. Plaintiff reserves the right to amend or supplement these responses at a later date.

By responding to these Interrogatories, Plaintiff does not waive, and intends to preserve, the attorney-client privilege, work-product protection, and all other applicable privileges and protections. Plaintiff also reserves the right to raise, at trial or otherwise, any and all applicable objections, including relevance, materiality, and admissibility.

GENERAL OBJECTIONS

1. Plaintiff objects to the Interrogatories, and the definitions and instructions therein, to the extent they purport to impose any obligations or requirements beyond those imposed by law or are otherwise inconsistent with the Federal Rules of Civil Procedure or any order issued by the court.

2. Plaintiff objects to each Interrogatory to the extent that it seeks information protected by the attorney-client privilege, the attorney work-product doctrine, and/or any other applicable privilege or protection.

3. These objections are incorporated into each and every response set forth herein. Unless specifically set forth below, Plaintiff is not withholding responsive information on the basis of the foregoing objections.

RESPONSES AND OBJECTIONS

INTERROGATORY NO. 1

Identify who purchased Your Samsung SmartTVs.

RESPONSE TO INTERROGATORY NO. 1:

Plaintiff believes he purchased the Samsung SmartTVs, though it is possible that his wife purchased one of Samsung SmartTVs

INTERROGATORY NO. 2

Identify the date You purchased Your Samsung SmartTVs.

RESPONSE TO INTERROGATORY NO. 2:

Plaintiff purchased one of the Samsung SmartTVs (serial number 05HX3CAHB11790N) sometime in 2014 or 2015 and the other Samsung SmartTV (serial number 03NL3CGG905093M) sometime in 2015 or 2016.

INTERROGATORY NO. 3

Identify the retailer, store, or website from which You purchased Your Samsung SmartTVs.

RESPONSE TO INTERROGATORY NO. 3:

The Samsung SmartTV with serial number 05HX3CAHB11790N was purchased at BrandsMart USA located in Miami, FL. The Samsung SmartTV with serial number 03NL3CGG905093M was purchased at Best Buy in Louisville, KY.

INTERROGATORY NO. 4

Describe the current location of Your Samsung SmartTVs, including, without limitation, the street address.

RESPONSE TO INTERROGATORY NO. 4:

Plaintiff objects to this interrogatory as vague in that it does not specify the details of the description sought beyond street address. Plaintiff is not withholding responsive information on the basis of this objection and responds as follows: The Samsung SmartTV with serial number 05HX3CAHB11790N is located at Plaintiff's Florida home, located at [Redacted] [Redacted]. The Samsung SmartTV with serial number 03NL3CGG905093M is located at Plaintiff's Kentucky home, located at [Redacted].

INTERROGATORY NO. 5

Identify the DUID (also referred to as device ID, Device Unique Identifier, UDID, or Unique Device Identifier) for Your Samsung SmartTVs.

RESPONSE TO INTERROGATORY NO. 5:

The DUID for the Samsung SmartTV with serial number 05HX3CAHB11790N is [Redacted]YNHT. Plaintiff will supplement these responses with the DUID for the Samsung SmartTV with serial number 03NL3CGG905093M at a later date, as that TV is currently located at Plaintiff's Kentucky property.

INTERROGATORY NO. 6

Identify the PSID (also referred to as Personalized Service Identifier) for Your Samsung SmartTVs.

RESPONSE TO INTERROGATORY NO. 6:

The PSID for the Samsung SmartTV with serial number 05HX3CAHB11790N is

Redacted

ALXY. Plaintiff will supplement these responses with the PSID for Samsung SmartTV with serial number 03NL3CGG905093M at a later date, as the TV is currently located at Plaintiff's Kentucky property.

INTERROGATORY NO. 7

Identify the model number and serial number of Your Samsung SmartTVs.

RESPONSE TO INTERROGATORY NO. 7:

The model number corresponding to the Samsung SmartTV with serial number 05HX3CAHB11790N is UN55KU6300F. The model number corresponding to the Samsung SmartTV with serial number 03NL3CGG905093M is UN3255500AFZA.

INTERROGATORY NO. 8

Identify all devices that have been connected to Your Samsung SmartTVs, including, but not limited to, any cable boxes, gaming systems, antennas, dongles, smart phones, computers, or other similar electronics.

RESPONSE TO INTERROGATORY NO. 8:

Plaintiff objects to this interrogatory as overly broad in seeking information that is not relevant or proportional to the needs of this case. Whether Plaintiffs connected devices to their Samsung SmartTV is not relevant to Plaintiffs' claims. Plaintiff is not withholding responsive information on the basis of the foregoing objections and responds as follows: Plaintiff has

connected the following devices to the Samsung SmartTVs: Comcast/Xfinity cable boxes, Xbox, PlayStation, Wii, sound bars, Blu-Ray DVD players, an Atari Controller, and a Samsung surround sound system.

INTERROGATORY NO. 9

Identify all sources of programming or content viewed on Your Samsung SmartTVs, including, but not limited to, any streaming applications, cable or satellite television providers, portable media devices, or gaming systems.

RESPONSE TO INTERROGATORY NO. 9:

Plaintiff has viewed the following sources of programming or content on the Samsung SmartTVs: Comcast/Xfinity, Netflix, Amazon, YouTube, Disney+, HBO Max, and Apple TV.

INTERROGATORY NO. 10

Identify any and all persons aside from You who have used Your Samsung SmartTVs to access programming or view content by stating each such person's name, last known address, and relationship to You.

RESPONSE TO INTERROGATORY NO. 10:

Plaintiff objects to this Interrogatory as overbroad in that it seeks "any and all persons" who have used Plaintiff's Samsung SmartTVs to access programming or view content at any point (and/or for any length of time) during the 7 years that this action has been pending. Plaintiff is not withholding responsive information on the basis of this objection and responds as follows: In addition to himself, Plaintiff's wife, [Redacted] White, his 15-year-old son (T.W.), his 12-year-olds J.W. and T.J., who all reside at [Redacted], have used the Samsung SmartTVs to access programming or view content. Other visitors to Plaintiff's residence may have possibly used the Samsung SmartTVs to access programming or view

content, but Plaintiff cannot recall names of any individuals other than the persons identified above.

INTERROGATORY NO. 11

Identify any and all SmartTVs You have purchased besides Your Samsung SmartTVs by stating the make, model, serial number, and date of purchase for each such SmartTV.

RESPONSE TO INTERROGATORY NO. 11:

Plaintiff purchased another Samsung SmartTV in 2019, bearing model number QN75Q8FNB and serial number 07AS3CAM200366D.

Plaintiff purchased a LG SmartTV in 2019, bearing model number OLED65B8PUA and serial number 810RMGCAW103.

Plaintiff also purchased a Sony SmartTV, in 2015 or 2016. Plaintiff will supplement these responses with information pertaining to the Sony TV at a later date, as it is currently located at Plaintiff's Kentucky property.

INTERROGATORY NO. 12

Identify any and all Samsung-branded products You have purchased besides Your Samsung SmartTVs by stating the type of product, product name, model, serial number, and date of purchase for each such product.

RESPONSE TO INTERROGATORY NO. 12:

Plaintiff objects to this interrogatory as overly broad in seeking information that is not relevant or proportional to the needs of this case. Whether Plaintiffs purchased other Samsung-branded products other than their Samsung SmartTVs is not relevant to Plaintiffs' claims.

Plaintiff is not withholding responsive information on the basis of the foregoing objections and responds as follows: Plaintiff purchased a Samsung SmartTV in 2019, bearing model code

QN75Q8FNB and serial number 07AS3CAM200366D. Plaintiff also purchased a Samsung surround sound system, bearing model number PS-WK450 and serial number 14KH883144L.

INTERROGATORY NO. 13

Identify any time period during which Your Samsung SmartTVs were not connected to the Internet by stating the start and (if applicable) end dates of each such time period and the serial number of the Samsung SmartTV that was not connected to the Internet during that time period.

RESPONSE TO INTERROGATORY NO. 13:

Plaintiff's Samsung SmartTV with serial number 03NL3CGG905093M was not connected to the Internet to Plaintiff's knowledge. Plaintiff's Samsung SmartTV with serial number 05HX3CAHB11790N was connected to the Internet after purchase and has remained connected to the Internet since that time.

INTERROGATORY NO. 14

Identify the date You learned of or became aware of Samsung's Automatic Content Recognition technology.

RESPONSE TO INTERROGATORY NO. 14:

Plaintiff learned of or became aware of Samsung's Automatic Content Recognition technology at or around the time of the filing of the initial complaint in this action but does not recall a specific date.

INTERROGATORY NO. 15

Identify when you came to believe that Samsung's "ACS [Automatic Content Software] operated in real time to acquire the content of Plaintiffs' and the Class members' electronic communications," as alleged in the Second Amended Complaint ¶ 167.

RESPONSE TO INTERROGATORY NO. 15:

Plaintiff became aware that Samsung's ACS operated in real time to acquire the content of Plaintiffs' and Class members' electronic communications at or around the time of the filing of the initial complaint in this action but does not recall a specific date.

Dated: June 28, 2023

By: s/ Mack Press

MACK PRESS
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THE MACK FIRM
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Patchogue, NY 11772
Telephone: (516) 330-7213

Attorney for Plaintiffs

VERIFICATION

I, Thomas Roger White, Jr., have read Plaintiff Thomas Roger White, Jr.'s Responses and Objections to Samsung Electronics America, Inc.'s First Set of Interrogatories and certify, under penalty of perjury, that the answers contained therein, which pertain to me, are true and correct to the best of my information, knowledge, and belief.

Dated: Jun 28, 2023


Roger White (Jun 28, 2023 14:33 EDT)
Thomas Roger White, Jr.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

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PATRICIA CAULEY, on behalf of themselves
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Hon. Jessica S. Allen, U.S.M.J.

CERTIFICATE OF SERVICE

I, Mack Press, certify as follows:

I am a citizen of the United States and a resident of the State of New York. I am employed in Suffolk County, State of New York. I am over the age of eighteen years, and not a party to the within action. My business address is The Mack Firm, 18 Watergate Lane, Patchogue, NY 11772.

On June 28, 2023, I hereby certify that I served a true and correct copy of the following document(s) in the manner(s) described below:

- **Plaintiff White's Responses and Objections to Defendant Samsung Electronics America, Inc.'s First Set of Interrogatories**

☒ (BY ELECTRONIC MAIL) I am personally and readily familiar with the business practice of The Mack Firm for the preparation and processing of documents in portable document format (PDF) for e-mailing, and I caused said documents to be prepared in PDF and then served by electronic mail.

on the following person(s) set forth below:

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Attorneys for Defendant Samsung Electronics America, Inc.

I declare under penalty of perjury pursuant to the laws of the United States of America that the foregoing is true and correct. Executed on June 28, 2023, at Patchogue, New York.

/s/ Mack Press

Mack Press